

2. On March 7, 2019, the parties filed a consent motion for an extension of time for Boyd Corp. to answer or otherwise respond to Plaintiff's Complaint. That motion was granted on March 14, 2019.

3. On March 11, 2019, Plaintiff filed an Amended Complaint, adding claims for alleged discrimination, retaliation, and hostile work environment under Title VII of the Civil Rights Act of 1964, as amended ("Title VII").

4. This Notice of Removal is being filed within thirty (30) days of Boyd Corp.'s receipt of the Amended Complaint on March 11, 2019, as required by 28 U.S.C. § 1446(b). Boyd Corp. hereby reserves any and all rights to assert the insufficiency of process or insufficiency of service of process as defenses to Plaintiff's Amended Complaint.

5. Following Plaintiff's filing of her Amended Complaint, the parties again filed a consent motion for extension of time for Boyd Corp. to answer or otherwise respond to Plaintiff's Amended Complaint. That motion was granted on April 1, 2019.

6. No further pleading has been had in the Circuit Court for the City of Roanoke, Virginia as of the date of the filing of this Notice of Removal.

FEDERAL QUESTION JURISDICTION EXISTS

7. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1441, in that Plaintiff's Complaint contains claims arising under the Constitution, laws, or treaties, of the United States.

8. Plaintiff has filed claims for discrimination, retaliation, and hostile work environment under Title VII, as a result, federal question jurisdiction exists.

9. Venue is proper in this District pursuant to 28 U.S.C. § 1441(a) because this District embraces the place where the removed state court action is pending.

10. In view of the above facts, this is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. §§ 1331 and 1332 and is, therefore, one which may be removed to this Court by Boyd Corp. pursuant to the provisions of 28 U.S.C. § 1441.

11. Consistent with 28 U.S.C. § 1446(d), Boyd Corp. is filing a copy of this Notice of Removal with the Clerk of Court for the Circuit Court for the City of Roanoke, Virginia. A copy is attached hereto as Exhibit 2.

12. Boyd Corp. reserves the right to amend or supplement this Notice of Removal.

13. Boyd Corp. reserves all defenses, and the filing of this Notice of Removal is without waiver of any defenses.

WHEREFORE Defendant Boyd Corporation of South Hill, Virginia prays that the above action now pending against it in the Circuit Court for the City of Roanoke, Virginia be removed to this Court.

Dated: April 10, 2019

Respectfully Submitted,

**THE BOYD CORPORATION,
SOUTH HILL, VIRGINIA**

By /s/ J. Clay Rollins

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Pro Hac Vice application pending per L.R. 6(d)

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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of April, 2019, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system which will send notification of such filing to counsel for Plaintiff:

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